

Appl. No. 09/917,278
Response Dated April 8, 2005
Reply to Office action of October 27, 2004

REMARKS/ARGUMENTS

By the present amendment, previous claim 10-14 have been deleted and new claims 15-23 have been added. Support for new claims 15 and 16 can be found in the application as filed for example on page 9, lines 6-28. Support for new claims 17-23 can be found in previous claims 11-14. The amendments to the claims have been made without prejudice and without acquiescing to any of the Examiner's objections. Applicant reserves the right to pursue any of the deleted subject matter in a further divisional, continuation or continuation-in-part application. No new matter has been entered by the present amendment and its entry is respectfully requested.

The Official Action dated October 27, 2004 has been carefully considered. It is believed that the amended specification and claims and the following comments represent a complete response to the Examiner's rejections and place the present application in condition for allowance. Reconsideration is respectfully requested.

35 USC §112, First Paragraph

The Examiner has objected to claims 10-14 under 35 USC §112, first paragraph as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to use the invention.

Claims 10-14 have been deleted by the present amendment which overcomes the objections to these claims. New independent claim 15 now specifies a method of preventing or inhibiting immune suppression caused by CD200 by administering an effective amount of a anti-CD200 antibody. As discussed at the interview, the examples clearly demonstrate that when CD200 levels in an animal are elevated, administering an antibody to CD200 prevents the immune suppression caused by CD200. This is evidenced by reduced tumor cell growth and improved survival of the animals that have elevated CD200 and receive anti-CD200 antibodies. See for example figure 24 as well as page 87, lines 12-25.

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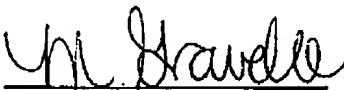
In view of the foregoing, we respectfully submit that the claims as presented herewith are enabled by the specification and we request that the objection to the claims under 35 USC §112, first paragraph be withdrawn.

The Commissioner is hereby authorized to charge any extension of time fees as well as any deficiency in fees (including any claim fees) or credit any overpayment to our Deposit Account No. 02-2095.

In view of the foregoing, we submit that the application is in order for allowance and an early indication to that effect would be greatly appreciated. Should the Examiner like to discuss the matter, he is kindly requested to contact Micheline Gravelle at 416-957-1682 at his convenience.

Respectfully submitted,

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By 

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